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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED

2005 JUL 29 P 3:30

DOUGLAS COLEMAN, #210345,

Plaintiff,

v.

CIVIL ACTION NO. 05-CV-72939-DT
HONORABLE PATRICK J. DUGGAN

BERRIEN COUNTY, et al.

Defendant(s).

**ORDER TRANSFERRING CASE TO THE UNITED STATES
DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN**

Before the Court is Plaintiff Douglas Coleman's *pro se* civil rights complaint brought pursuant to 42 U.S.C. § 1983. Plaintiff is a Michigan prisoner currently confined at Camp Lehman in Grayling, Michigan. In his complaint, Plaintiff names as defendants Berrien County, the Michigan Parole Board, and the Michigan State Police.

The proper venue for civil actions in which jurisdiction is not based on diversity of citizenship is the judicial district where: (1) any defendant resides if all defendants reside in the same state; (2) a substantial part of the events or omissions giving rise to the claim occurred or a substantial part of the property in question is situated; or (3) any defendant may be found if there is no other district in which plaintiff may bring the action. 28 U.S.C. § 1391(b). Public officials "reside" in the county where they serve. *See O'Neill v. Battisti*, 472 F.2d 789, 791 (6th Cir. 1972). Pursuant to 28 U.S.C. § 1404(a), a district court may transfer a civil action to any other district where it might have been brought for the convenience of the parties and witnesses, in the interest of justice.

Having reviewed the complaint, the Court finds that the United States District Court for the Western District of Michigan is a more appropriate forum for this action. Any Berrien County defendants reside in that county and the Michigan Parole Board and Michigan State Police defendants reside in Ingham County for purposes of the present complaint. Those counties lie in the Southern Division of the Western District of Michigan. 28 U.S.C. § 102(b).

Accordingly, the Court **ORDERS** the Clerk of the Court to transfer this case to the United States District Court for the Western District of Michigan. 28 U.S.C. §§ 1391(b) and 1404(a).

Paul J. Komives
PAUL J. KOMIVES
UNITED STATES MAGISTRATE JUDGE

DATED: July 29, 2005

CERTIFICATE OF MAILING

I certify that a copy of this order was served upon petitioner/plaintiff(s) on the date indicated below by first class mail.

8/1/05 [Signature]
Date Deputy Clerk